



# HDOT MS4 Audit Work Plan

October 26<sup>th</sup> 2016



# Specific Consent Decree Requirements

**Revised workplan addresses all of these**

- A.1. The audits shall be completed to fulfill the following goals:**
- a. Determine compliance** with the federal regulations and state MS4 permits and regulations and this Consent Decree (see Paragraph A.2, below);
  - b. Ensure information gathered during the audits is used to promote information and technology transfer** between divisions; and
  - c. Identify deficiencies and potential violations that are discovered by the third party auditor and allow for timely self-correction** of the deficiencies and potential violations by HDOT.

# Specific Consent Decree Requirements

**Revised workplan  
addresses all of these**

**B.6. The Audit Work Plan shall include, but is not limited to:**

- the minimum **documents to be reviewed** (e.g. SWMPs, training records, inspection reports, etc.)
- minimum **number of field verifications**, as necessary, for each program element evaluated
- **deliverables** (notices of potential violations, draft and final audit reports), and
- reporting **deadlines**

# Specific Consent Decree Requirements

**Revised workplan addresses all of these**

## **D.7. The HDOT Audit Reports shall contain:**

- a. A specific statement of the procedures followed, HDOT sites and activities visited and all materials reviewed during the audits;**
- b. Retrospective analysis of activities that may be outmoded, ineffective, insufficient, or excessively burdensome, and recommendations to modify, streamline, or expand them in accordance with what has been learned;**
- c. An identification of deficiencies (items which, if not corrected, will lead to potential violations) and potential violations with the applicable SWMPs, this Consent Decree, and/or applicable permit and regulations, and recommendations for improvement;**
- d. Identification of best practices and opportunities for information/technology transfer to be applied across all divisions; and**
- e. An analysis of the practices implemented for each Division's program elements and a determination as to whether identified best practices can be universally implement across all three Divisions. If best practices cannot be universally implemented, the report shall clearly describe the identified impediments.**

# Letter from HDOH (19 February 2016)

**Revised workplan  
addresses all of these**

1. Overall, the draft work plan does not provide the **level of detail** necessary for the DOH to approve of the plan.
2. The work plan must clearly **detail the method/process** by which each of the HDOT's pollution prevention programs will be analyzed.
3. The work plan must also include details such as **timeframes** for the audits and a **dedicated process** for how recommendations will be vetted.

# Letter from HDOH (19 February 2016)

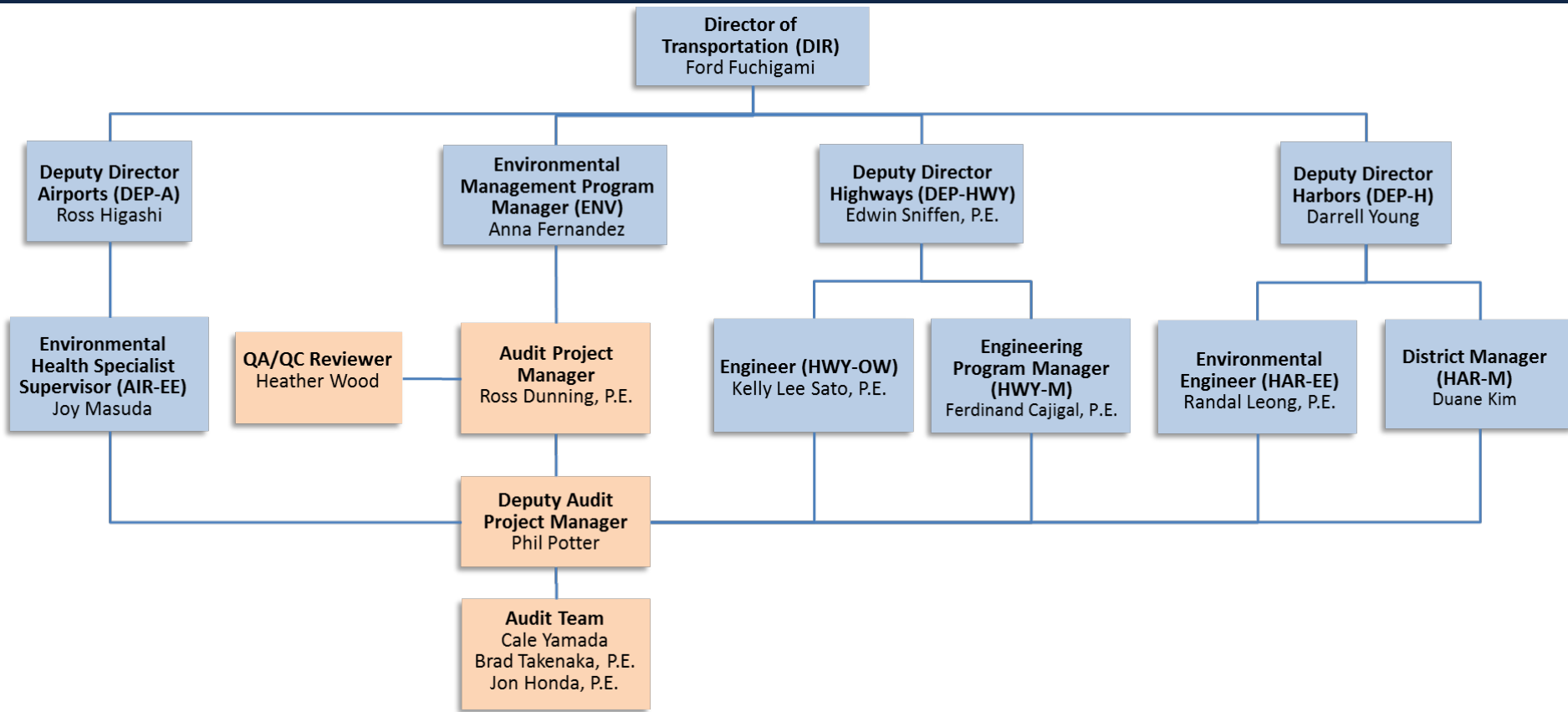
**Revised workplan  
addresses all of these**

- 1. The work plan must also:**
  - a. Identify the specific **staff** person(s) needed to complete interviews
  - b. **Key elements** of each NPDES regulated activity
  - c. Note which **specific program activities** will be audited
- 2. The work plan must clearly define the **deliverable** that is expected from the auditor.**

# Overarching Goals

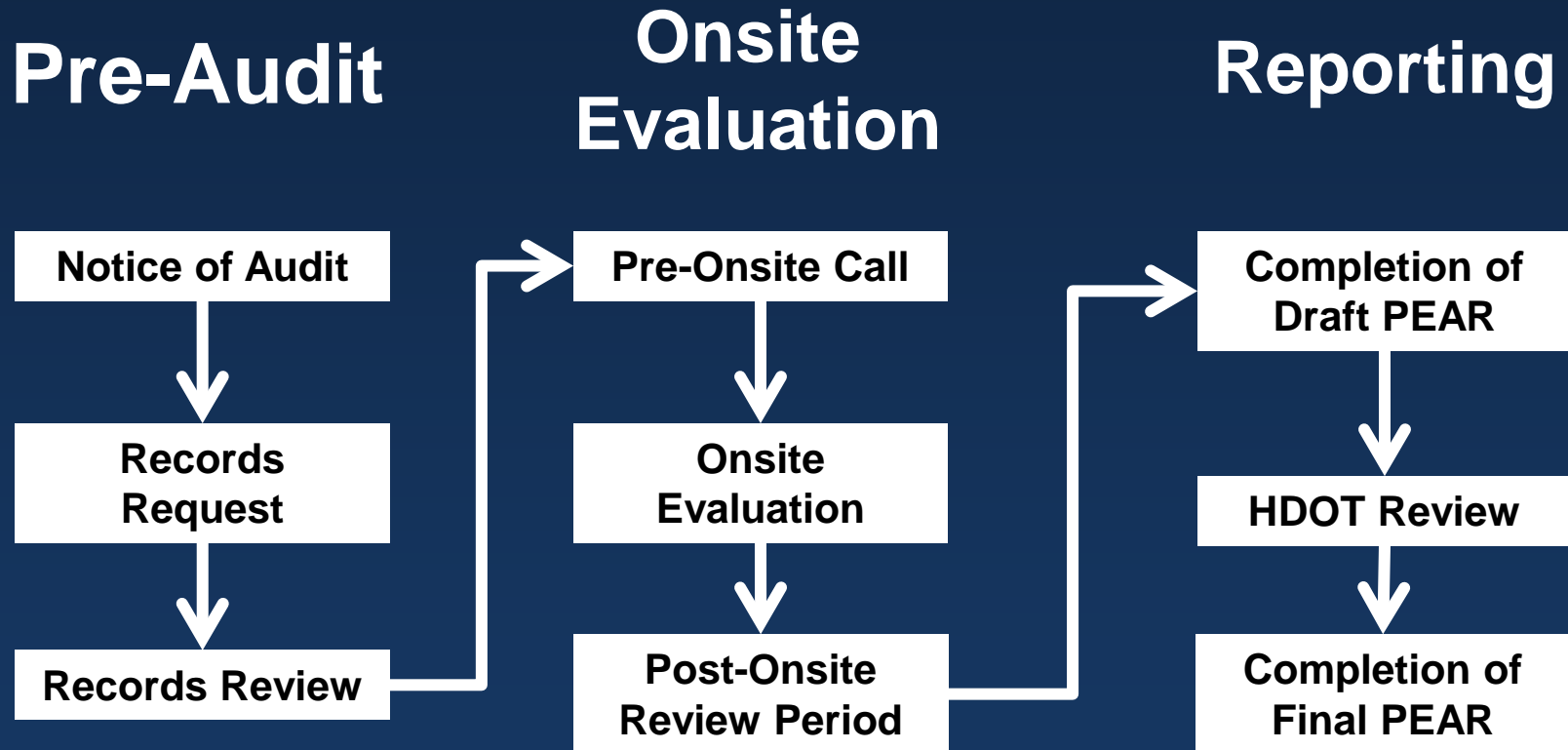
1. Meet the requirements of the CD
2. Meet EPA and HDOH expectations
3. Gain internal trust and collaboration
4. Seek big picture HDOT-wide opportunities for improvement rather than focusing on minor issues of non-compliance

# Organizational Chart





# Typical Audit Workflow



# Example of Onsite Evaluation – Post-Construction

**Appendix C1: Schedule for PEAR #1 – Post-Construction / Permanent Best Management Practices**

Airports		Harbors		Highways	
Kahului Airport	Honolulu International Airport	Honolulu Harbor	Kalaheoa Barbers Point Harbor	Maui District	Oahu District
Small MS4 Permit	Individual Permit	Small MS4 Permit	Small MS4 Permit	Small MS4 Permit	Individual Permit
HI 4KE349	HI S000005	HI 03KB482	HI 03KB488	HI 14KE352	HI S000001
76 Days After AWWA	77 Days After AWWA	79 Days After AWWA	82 Days After AWWA	76 Days After AWWA	78 Days After AWWA
Tuesday 30 May 2017	Wednesday 31 May 2017	Friday 2 June 2017	Monday 5 June 2017	Tuesday 30 May 2017	Thursday 1 June 2017
8am – 9am Kickoff Meeting [See Note (a)]	8am – 9am Kickoff Meeting [See Note (a)]	8am – 9am Kickoff Meeting [See Note (a)]	8am – 9am Kickoff Meeting [See Note (a)]	1pm – 2pm Kickoff Meeting [See Note (a)]	8am – 9am Kickoff Meeting [See Note (a)]
9am – 11am Onsite Evaluation [See Note (b)]	9am – 11am Onsite Evaluation [See Note (b)]	9am – 11am Onsite Evaluation [See Note (b)]	9am – 11am Onsite Evaluation [See Note (b)]	2pm – 4pm Onsite Evaluation [See Note (b)]	9am – 11am Onsite Evaluation [See Note (b)]
BMP 1: OGG CONRAC, location tentative	BMP 1: Pervious pavement and bioswale systems, NDWP New Employee Parking Lots at Elliott St	BMP 1: Alaska Marine Lines, Pier 29	BMP 1: GLP Asphalt Facility	[BMPs will be inspected only if they are installed by this time]	BMP 1: University Ave. Bioswales, In median of H-1 ramps to University Ave. on makai side of freeway
BMP 2: Wash rack, location tentative	BMP 2: Contech CDS 2025 System and FloGuard drop inlet filtration insert, NDWP Diamondhead Site Improvements, GSE Lot fronting Hardstand 3	BMP 2: Matson Auto Facility, Pier 32	[Additional BMPs will be inspected only if they are installed by this time]		BMP 2: Fort Weaver Rd. CDS Units, Fort Weaver Rd., Ewa
[An additional BMP will be inspected only if one is installed by this time]	BMP 3: Bioswale system, Kalewa St Storage Lots 1-6, Corner of Lagoon and Kalewa St.	BMP 3: HC&D Facility, Pier 60			BMP 3: Luluku Storm Water Treatment System, H-3/Likelike interchange, Kaneohe
11am – 12pm Debrief Meeting [See Note (c)]	11am – 12pm Debrief Meeting [See Note (c)]	11am – 12pm Debrief Meeting [See Note (c)]	11am – 12pm Debrief Meeting [See Note (c)]	4pm – 5pm Debrief Meeting [See Note (c)]	11am – 12pm Debrief Meeting [See Note (c)]

**Schedules have been coordinated with Division staff**

**Verify that up to three (3) structural and source control BMPs approved by each permittee and subject to post-construction requirements were installed and are being maintained properly in the field.**

# On-Site Evaluation Dates (Tentative)

**On-site inspections  
have been scheduled**

**Table 5-1 Tentative On-Site Evaluation Dates**

PEAR	On-Site Evaluation
PEAR #1: Post-Construction / Permanent Best Management Practices	Tuesday 30 May 2017 to Monday 5 June 2017
PEAR #2: Construction Site Runoff Control	Monday 27 November 2017 to Friday 1 December 2017
PEAR #3: Public Outreach / Public Involvement Program	[none required]
PEAR #4: Illicit Discharge Detection and Elimination Program Element and Industrial Commercial Activities/Tenant Program	Monday 19 November 2018 to Monday 26 November 2018
PEAR #5: Pollution Prevention / Good Housekeeping Program	Monday 20 May 2019 to Friday 24 May 2019
PEAR #6: Staffing, Funding, Organizational Structure, Availability of Resources, and Storm Water Program Sustainability	[none required]

# Guiding Questions from EPA (2007)

## Program Element Audit Report (PEAR) #1 Post-Construction / Permanent BMPs

- A Overall Approach
- B Ordinance/Legal Authority
- C Post-Construction BMP Standards
- D Plan Review and Approval Procedures
- E Post-Construction BMP Inventory
- F BMP Inspection & Maintenance
- G Enforcement
- H Public Construction Projects
- I Consent Decree Questions



# Items for Inquiry

## Guiding Questions from EPA (2007)

### Appendix B1: PEAR #1 – Post-Construction / Permanent Best Management Practices

Question Number	Question	Airports		Harbors		Highways	
		Kahului Airport	Honolulu International Airport	Honolulu Harbor	Kalaheo Barbers Point Harbor	Maui District	Oahu District
		Small MS4 Permit HI 14KE349	Individual Permit HI S000005	Small MS4 Permit HI 03KB482	Small MS4 Permit HI 03KB488	Small MS4 Permit HI 14KE352	Individual Permit HI S000001
<b>A</b>	<b>Overall Approach</b>						
A1	Discuss the process chronologically in the order that a project would occur. Walk us through the process as if we were a developer proposing a project.						
<b>B</b>	<b>Laws/Rules/Regulations/Policies</b>						
B1	What legal authority does the permittee have to require post-construction BMPs on development sites and to ensure maintenance?						
B2	Does the permittee's legal authority address post-construction requirements for all projects disturbing one acre or more?						
B3	Does the legal authority require site design, source control, and stormwater treatment BMPs?						
B4	What exemptions do the laws/rules/regulations/policies or other legal authority allow?						
B5	What procedures for alternative compliance (i.e., planning-level BMPs and other non-structural controls) are allowed?						
B6	Does the legal authority authorize the permittee to require stormwater management plans to address post-construction impacts?						
B7	Do the laws/rules/regulations/policies outline the contents of an approvable plan and responsibilities for operation and maintenance of approved BMPs?						
<b>C</b>	<b>Post-Construction BMP Standards</b>						
C1	What technical guidance (e.g., BMP manual) does the permittee use as the standard for design and selection of post-construction BMPs? Note: It is not necessary to do a thorough review of the manual or standards used by the permittee.						
C2	Are project proponents required to follow a technical guidance manual?						
C3	Does the guidance provide siting and use criteria for the BMPs to ensure proper and adequate BMPs are being selected and implemented?						
C4	Does the guidance provide siting and use criteria for BMP selection based on the development context (i.e., BMP selection appropriate for ultra urban-areas versus those more appropriate for more rural settings with larger parcels)?						
C5	Are pollutants of concern that are typically generated by the proposed development type considered when selecting or approving BMPs?						

# Guiding Questions from EPA (2007)

## Program Element Audit Report (PEAR) #2 Construction Site Runoff Control

- A Ordinance/Legal Authority
- B Construction Site Inventory
- C Construction Requirements and BMPs
- D Plan Review Procedures
- E Construction Site Inspections
- F Program Support and Resources
- G Enforcement
- H Training and Education
- I Public Construction Projects
- J Consent Decree Questions





# Guiding Questions from EPA (2007)

## Program Element Audit Report (PEAR) #3 Public Outreach / Public Involvement

- A Goals and Objectives
- B Message Development
- C Target Audiences
- D Message Packaging
- E Distribution Mechanisms
- F Evaluation Methods
- G Public Participation Activities
- H Consent Decree Questions



# Guiding Questions from EPA (2007)

## Program Element Audit Report (PEAR) #4

### Illicit Discharge Detection and Elimination (IDDE) Program Element and Industrial Commercial Activities/Tenant (I/C) Program

#### **IDDE**

- A Legal Authority**
- B Mapping**
- C Field Screening**
- D Investigation of Potential Illicit Discharges**
- E Spill Response and Prevention**
- F Public Awareness and Reporting Program**
- G Preventing Sanitary Sewer Discharges**
- H Education and Training**

#### **I/C**

- I Legal Authority**
- J Facility Inventory**
- K Standards, BMPs and Outreach**
- L Staff Training**
- M Inspections**
- N Program Support and Resources**
- O Enforcement**
- P Consent Decree Questions**



# Guiding Questions from EPA (2007)

## Program Element Audit Report (PEAR) #5 Pollution Prevention / Good Housekeeping

- A Infrastructure Mapping and Characterization
- B Catch Basin Cleaning
- C Stormwater Management Structures
- D Street Sweeping
- E Public Streets, Roads and Highway Maintenance
- F Facility Inventory
- G Chemical and Hazardous Material Use and Disposal
- H Pesticide, Herbicide and Fertilizer Application and Management
- I Municipal Staff
- J Contracted Services Staff
- K Training and Education
- L Consent Decree Questions



# Guiding Questions from EPA (2007)

## Program Element Audit Report (PEAR) #6

**Staffing, Funding, Organizational Structure, Availability of Resources, and Storm  
Water Program Sustainability**

**A SWMP Planning Documents**

**B Staff Inventory and Organization**

**C Performance Standards or Goals**

**D Prioritization of Resources**

**E Assessment and Evaluation of Programs**

**F Assessment and Evaluation of BMPs**

**G Assessment and Evaluation of Water Quality**

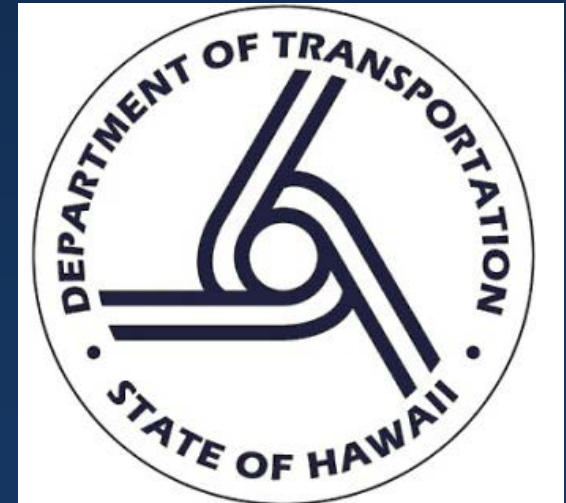
**H Dry & Wet Weather Outfall Screening and Monitoring (If Applicable)**

**I Biological Monitoring (If Applicable)**

**J Ambient Monitoring (If Applicable)**

**K Data Collection and Reporting**

**L Consent Decree Questions**

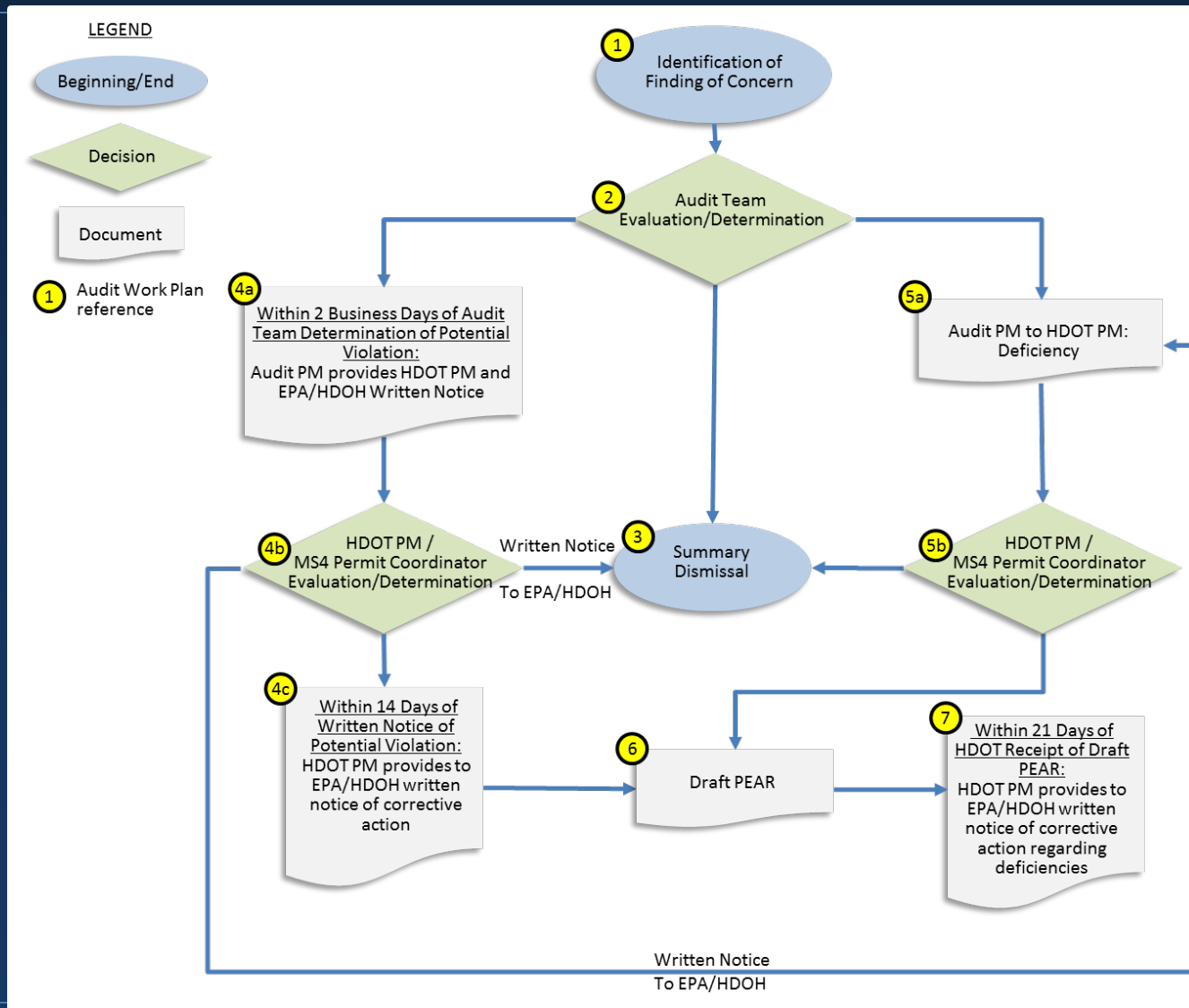


# Responding to Findings of Concern

**Potential Violations:** areas where the evaluation found the permittee not in compliance with a specific permit requirement or SWMPP commitment

**Deficiencies:** items which, if not corrected, may be anticipated to lead to Potential Violations

# Responding to Findings of Concern



# Next Steps

1. **September 16<sup>th</sup> 2016 – HDOT submitted Draft Audit Work Plan (V2) to EPA for review**
2. **October 31<sup>th</sup> 2016 (+ 45 days) – EPA provides comments**
3. **December 9<sup>th</sup> 2016 (+ 39 days) – HDOT submits revised Draft Final Audit Work Plan (V3) to EPA review**
4. **January 23<sup>rd</sup> 2017 (+ 45 days) – EPA provides comments, if any**
5. **February 13<sup>th</sup> 2017 (+ 21 days) – HDOT addresses any remaining comments, submits revised Final Audit Work Plan (V4)**
6. **March 15<sup>th</sup> 2017 (+ 30 days) Final Audit Work Plan (V4) deemed approved if no additional comments received. Starts “clock”.**

# Next Steps

	2017												2018												2019												2020			
PEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
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